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| To: Commissioner for Patents for<br><b>Examiner Srirama T. Channavajjala</b><br>Group Art Unit 2164                                                  | Facsimile No. 703-872-9306                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| From: Dell Whitton<br>Paralegal to Duke W. Yee                                                                                                       | No. of Pages Including Cover Sheet: 3                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Enclosed herewith: <ul style="list-style-type: none"><li>• Transmittal document; and</li><li>• Notice of Appeal.</li></ul>                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Re: Application Serial No. 09/866,251<br>Attorney Docket No. YOR920010343US1                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Date: Monday, February 14, 2005                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Chefalas et al.

Serial No.: 09/866,251

Filed: May 25, 2001

For: Method and Apparatus for  
Performing the Identification of Files  
to be Backed Up Using Relational  
Meta Data

§ Group Art Unit: 2164


§ Examiner: Channavajjala, Srirama T.

§ Attorney Docket No.: YOR920010343US1

§ Certificate of Transmission Under 37 C.F.R. § 1.8(a)

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February 14, 2005.

By:

  
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Commissioner for Patents  
P.O. Box 1450  
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Sir:

ENCLOSED HEREWITH:

- Notice of Appeal

A fee of \$500.00 is believed to be necessary. Please charge this fee to IBM Corporation Deposit Account 50-0510. In the event that any additional fees are required for the prosecution of this application, please charge any necessary fees to IBM Corporation Deposit Account 50-0510. No extension of time is believed to be necessary. If, however, an extension of time is needed, the extension is requested and the fee for this extension should be charged to IBM Corporation Deposit Account 50-0510.

Respectfully submitted,

  
Duke W. Yee

Registration No. 34,285

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ATTORNEY FOR APPLICANTS

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By:


  
Dell WhittonNOTICE OF APPEALCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the office action dated November 16, 2004 finally rejecting claims 1-61.

A fee of \$500.00 is believed to be necessary. Please charge this fee to IBM Corporation Deposit Account No. 50-0510. In the event that any additional fees are required for the prosecution of this application, please charge any necessary fees to IBM Corporation Deposit Account No. 50-0510. No extension of time is believed to be necessary. If, however, an extension of time is needed, the extension is requested and the fee for this extension should be charged to IBM Corporation Deposit Account No. 50-0510.

Respectfully submitted,

  
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